REMARKS

The present remarks are in response to the Final Rejection dated August 26, 2005, wherein the Examiner rejected claims 1, 3-10, and 33-38. By the present amendment, applicant has cancelled claims 1, 3-10, and 33-38 and submits new claims 39-52. Applicant respectfully responds to the Examiner's Detailed Action and requests the Examiner place pending claims 39-52 in a state of allowance in view of the amendments and the following remarks.

A.   Rejection of Claims Under 35 USC § 102

The Examiner has rejected independent claim 1, and dependent claims 4, 5, 7, 33, and 35-36 as being anticipated by Hutchison US 6,449,476 B1 (hereinafter referred to as "Hutchison") under 35 USC § 102(e). Applicant respectfully disagrees; however, to expedite the prosecution of this patent application, applicant has cancelled the previous claims and provided new claims.

The new independent method claim 39 is patentably distinguishable over the disclosure of Hutchison because the method claim is directed to, *inter alia,* receive through a patch manager, system software updates; form the system software into a first symbol library, a second symbol library, and a third symbol library; arrange the first symbol library, the second symbol library, and the third symbol library into a plurality of code sections; and arrange the second symbol library and the third symbol library contiguously in a single code section.

The new independent system claim 45 is patentably distinguishable over the disclosure of Hutchison because Hutchison, *inter alia,* fails to teach a compartmentalized nonvolatile memory module comprising a file system section, a patch manager run time instruction (PMRTI) section, a code storage section, and a patch manager code section. More specifically, Hutchison fails to teach, *inter alia,* a single code section within the plurality of code sections comprising a second symbol library contiguous to a third symbol library. Additional limitations relating to the configuration of the nonvolatile memory component and data storage, retrieval, and execution process provide further distinguishable elements over Hutchison, as defined by claim 45.

Since the independent claims 39 and 45 overcome the 35 USC 102 rejection, applicant respectfully submits that each of the dependent claims 40-44 and 46-57 overcome the anticipation rejection for at least the same reasons discussed above with regard to claims 39 and 45.

B.   Rejection of Claims Under 35 USC § 103

The Examiner rejected claim 3 as being unpatentable over Hutchison as applied to claim 1, and further in view of Kuroda US 6,457,174 B1 (hereinafter referred to as "Kuroda") under 35 USC § 103(a). The Examiner further rejected claims 6, 8-9, 34, and 37-38 as being unpatentable over Hutchison in view of Kuroda. Applicant contends that the 103 rejection is moot because the new independent claims are patently distinguishable from Hutchison and Kuroda.

Regarding the new independent method claim 39, Hutchison and Kuroda fail to teach, *inter alia,* a method for updating system software comprising receiving through a patch manager, system software updates; forming the system software into a first symbol library, a second symbol library, and a third symbol library; arranging the first symbol library, the second symbol library, and the third symbol library into a plurality of code sections; and arranging the second symbol library and the third symbol library contiguously in a single code section.

The new independent system claim 45 is patentably distinguishable over the disclosures of Hutchison and Kuroda because Hutchison and Kuroda fail to teach, *inter alia,* a compartmentalized nonvolatile memory module comprising a file system section, a patch manager run time instruction (PMRTI) section, a code storage section, and a patch manager code section. More specifically, Hutchison and Kuroda fail to teach, *inter alia,* a single code section within the plurality of code sections comprising a second symbol library contiguous to a third symbol library. Additional limitations relating to the configuration of the nonvolatile memory component and data storage, retrieval, and execution process provide further distinguishable elements over Hutchison in view of Kuroda, as defined by claim 45.
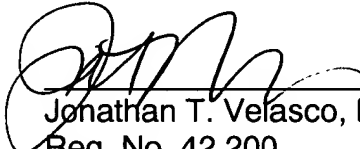
Since the new independent claims overcome the USC 103 rejection, applicant respectfully submits that each of the dependent claims overcome the obviousness rejection for at least the same reasons discussed above with regard to the independent claims.

C.   Conclusion

For all the foregoing reasons, allowance of claims 39-52 pending in the present application are respectfully requested.

Respectfully Submitted;

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Jonathan T. Velasco, Esq.
Reg. No. 42,200

Jonathan T. Velasco, Esq.
Kyocera Wireless Corp.
Attn: Patent Department
P.O. Box 928289
San Diego, California 92192-8289
Tel: (858) 882-3501
Fax: (858) 882-2485